Part 1: Introduction to Sexual Harassment in the Workplace



Acknowledgements

Many of the activities in this unit have been adapted from curriculum developed by other authors or organizations. We would like to acknowledge the following:

- Confronting Sexual Harassment: Learning Activities for Teens by Russell Sabella and Robert Myrick. Educational Media Corporation, 1995.
- Flirting or Hurting?: A Teachers Guide on Student-to-Student Sexual Harassment in Schools by Nan Stein and Lisa Sjostrom. NEA Professional Library Publication, National Education Association, 1994.
- *Teens Sexual Harassment* by the Northwest Woman's Law Center Legal Rights Education Subcommittee, 1998.
- Sexual Harassment and Teens: A Program for Positive Change by Susan Strauss. Free Spirit Publishing, 1992.
- *Sexual Harassment on the Job Cartoon*. Labor and Occupational Safety and Health Program. University of California, Los Angeles, 1997.

We would also like to acknowledge the individuals who contributed to the development of this unit.

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Unit 6 Overview

Part 1

Activity A. Student Pre-Test— Sexual Harassment in the Workplace

Students complete a Pre-Test as a measure of what they already know about sexual harassment in the workplace before the lesson is taught.

Activity B. Going Too Far: What Is Sexual Harassment

Students investigate the differences between flirting and sexual harassment. Students try to develop a definition for sexual harassment, then compare their definition to the legal definition of sexual harassment.

Part 2

Activity C. Sexual Harassment Law—Then & Now (optional)

This activity is particularly relevant to students studying business law. Students look at help wanted ads from a 1964 Washington newspaper and compare them to today's want ads. Students also examine a timeline of sex discrimination and sexual harassment laws and major court cases.

Activity D. Evaluating Workplace Sexual Harassment

Students evaluate different workplace scenarios, trying to determine if sexual harassment has occurred.

Activity E. Stopping Sexual Harassment

Students learn about the possible steps to take if one is being sexually harassed, and provide advice to someone else who is experiencing sexual harassment at work. Three activity options are available, each emphasizing a different skill (writing, speaking, or drawing).

Activity F. Student Post-Test— Sexual Harassment in the Workplace

Students complete a post-test as a measure of what they have learned as a result of presenting unit 6.

Washington State Essential Academic Learning Requirements (EALRs)

Communication

- 1.1 Focus attention
- 1.2 Listen and observe to gain and interpret information

- 2.1 Communicate clearly to a range of audiences for different purposes
- 2.2 Develop content and ideas
- 2.3 Use effective delivery
- 2.4 Use effective language and style
- 3.1 Use language to interact effectively and responsibly with others
- 3.2 Work cooperatively as a member of a group
- 3.3 Seek agreement and solutions through discussion
- 4.4 Analyze how communication is used in career settings

Social Studies

- 2.2 Understanding the function and effect of law
- 4.1 Understand individual rights and their accompanying responsibilities

Reading

- 1.3 Build vocabulary through wide reading
- 2.1 Demonstrate evidence of reading comprehension
- 2.3 Expand comprehension by analyzing, interpreting and synthesizing information
- 3.1 Read to learn new information
- 3.3 Read for career applications

Writing

- 2.1 Write for different audiences
- 2.2 Write for different purposes
- 2.3 Write for career applications

Health and Fitness

- 2.2 Acquire skills to live safely and reduce health risks
- 3.1 Understand how environmental factors affect one's health
- 3.2 Gather and analyze health information
- 3.3 Use social skills to promote health and safety in a variety of situations
- 3.4 Understand how emotions influence decision-making

Part 1: Introduction to Sexual Harassment in the Workplace

Learning Objectives

By the end of this lesson students will be able to:

- To increase knowledge pertaining to sexual harassment in the workplace, including legal and personal consequences.
- To understand what workplace sexual harassment is and what it is not.
- To identify and differentiate between the two types of workplace sexual harassment: "quid pro quo" and "hostile work environment."
- To understand steps employees can take in response to sexual harassment at work.

Preparing to Teach This Lesson

Before you present this lesson:

- 1. Make copies of handouts for each student.
- 2. Obtain flipchart paper and markers for each group of students.
- 3. Review PowerPoint slides for unit 6.

Special Note to Teachers

Due to the sensitive nature of the topic of sexual harassment, you may need to seek permission from your principal or school district before presenting these activities to your students.

The topic of sexual harassment can sometimes be both sensitive and controversial. Discussion of sexual harassment topics may make both you as the teacher as well as your students uncomfortable, so it is important to present the topic with sensitivity. Some students may feel nervous or embarrassed by the topic. Students may tell jokes, become disruptive, or make light of the topic because they are uncomfortable. For this reason, in your role as the teacher it is important that neither you nor your students make jokes or make light of the subject of sexual harassment.

Bringing up the subject of sexual harassment may cause students to approach you with concerns about sexual harassment or more serious issues in their own lives.

Time

50 minutes

Materials

- Computer and projector
- PowerPoint slides (1–14)
- Flipchart paper and markers

Handouts

- A. Sexual Harassment in the Workplace Pre-Test
- B. Sexual Harassment Pre- and Post-Test Answer Key
- C. Sexual Harassment Definition (optional)
- D. What is Sexual Harassment
- E. Types of Sexual Harassment (optional)

If this does occur, it is important that you know what resources are available in your district, and who to refer the student to for further support.

It is important that students fee it is safe to share these concerns with you, even if you don't feel comfortable with this topic.

This lesson introduces workplace sexual harassment in context of young workers' health and safety on the job. The activities focus on understanding workplace sexual harassment and the law, evaluating workplace situations, and identifying how to respond to sexual harassment at work.

The topic of sexual harassment in the workplace is often included in orientation programs for new employees at many large companies. However, young workers may not receive this training because they enter the job on a part-time basis, or as part of an internship or work-based learning experience. Many teenagers find their first jobs with small businesses that most likely do not have a formalized sexual harassment policy or training programs.

As teenagers enter the workforce, they are vulnerable to becoming targets of sexual harassment for many reasons. Young workers are at a power and age disadvantage in comparison to their older supervisors or other co-workers. Young workers often are not familiar with sexual harassment laws and do not know their rights. And often, young workers are either afraid to speak out about a problem at work, or do not possess the skills to do so. It is important to recognize that any worker, regardless of job title, age, sexual orientation or gender, may become involved in sexual harassment, either as the harasser or as the target of harassment.

Detailed Instructor's Notes

Activity A.

Sexual Harassment in the Workplace Pre-Test

Procedure:

- 1. Distribute copies of handout A, *Sexual Harassment in the Workplace Pre-Test*, prior to introducing any of the material.
- 2. Collect the pre-test after its completion. Keep on file until the post-test is completed.
- 3. Answers to the pre- and post-tests can be found on Handout B *Sexual Harassment Pre- and Post-Test Answer Key*.
- 4. Collect the pre-test and keep it on file with the post-test.

Activity B.

Going Too Far: What is Sexual Harassment?

In this activity, students investigate the differences between flirting and sexual harassment. Students try to develop a definition for sexual harassment, and then compare their definition to the legal definition of sexual harassment. They also investigate the three different ways that sexual harassment may occur and learn to recognize the differences between quid pro quo and hostile work environment sexual harassment.

Flirting vs. Harassing

- 1. Break the class into four groups and give each group a piece of flipchart paper and a pen. Assign one of the following topics below to each of the four groups. Have them put that as the heading on their chart paper.
 - Examples of flirting behaviors
 - Examples of sexually harassing behaviors
 - What flirting feels like
 - What sexual harassment feels like
- 2. Have each group come up with examples for of their topic and list them on their piece of flipchart paper.
- 3. After five minutes, or when the students have stopped writing, reconvene the class. Ask one person in each group to share their list with the class.

Sample student answers:

Examples of flirting behaviors	Examples of sexually harassing behaviors
Winking	Calling profane names
Making eye contact	Making threats
Calling by a nickname	Unwanted pinching, grabbing, patting, pressing, etc.
Joking and teasing	Following someone or blocking their way
Passing fun notes	Making lewd gestures or drawings

What Flirting Feels Like	What Sexual Harassment Feels Like
Silly, good-natured, playful	Threatening, scary
It feels nice to be noticed, boosts self-esteem	Uncomfortable, uneasy, unwanted
I feel attracted to this person	Disgusting or demeaning, feels bad
I feel in control, it is wanted, it is mutual	I can't believe this just happened
Exciting, feels good	Embarrassing, other person seemed in control

Defining Sexual Harassment

- 1. As a class or in small groups, use the lists the students created to develop a definition of "sexual harassment." The students may have some difficulty developing a definition that they agree upon. Point out that sexual harassment is full of subtleties and gray areas, which can make it difficult to clearly define and identify. Show students slide 1. The following questions may be helpful in developing a definition:
 - What makes flirting different from sexual harassment?
 - Is it easy or difficult to tell the difference?
 - How can you tell when the line has been crossed between a flirting behavior and a harassing behavior?
 - Are the feelings of the person experiencing the harassment important?
- 2. Once the class has developed their definition for sexual harassment, write it down on the board or a piece of flipchart paper.

Use the following questions to develop a definition for sexual harassment:

- What makes flirting different from sexual harassment?
- 2 Is it easy or difficult to tell the difference?
- 3 How can you tell when the line has been crossed between a flirting behavior and a harassing behavior?
- 4 Are the feelings of the person experiencing the harassment important?

Slide 1

Health and Safety Awareness for Working Teens

3. Next, share the legal definition of workplace sexual harassment using slides 2 and 3 Sexual Harassment Definition. You may also want to give them a copy of handout C *Sexual Harassment Definition*. The longer definition is from the Equal Employment Opportunity Commission, the federal agency responsible for overseeing sexual harassment and sex discrimination laws. The shorter definition provides a summarized definition that

you may want to use with students who read at a lower level, or can be used whenever you want to refresh students' understanding of workplace sexual harassment.

Sexual Harassment Definition:



Official EEOC* definition

"Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when submission to or rejection of this conduct explicitly or implicitly affects:

- An individuals employment,
- Unreasonably interferes with an individual's work performance,
- Or creates an intimidating, hostile, or offensive work environment."

*The Equal Employment Opportunity Commission (EEOC) is the federal agency responsible for overseeing workplace sexual harassment regulations and compliances with the law.

Slide 2 Health and Safety Awareness for Working Teens

Sexual Harassment Definition

Or in other words, workplace sexual harassment is...

"Any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature."

Slide 3

- 4. Ask the students to consider how the official definition differs from their own definition. Did their definition include some variations of the three required criteria for harassment in the EEOC definition? Sexual harassment is often judged using the criteria that the behavior must be:
 - unwanted,
 - unwelcome, and
 - repeated (unless severe).
- 5. Did the students' definition include physical, verbal and visual forms of harassment? Do the students feel like the legal definition is complete? What would they add to it?

Physical, Verbal and Visual Sexual Harassment

1. Show slide 4. Refer back to the definition of sexual harassment. The definition specifies sexual advances, requests for sexual favors, and other conduct of a sexual nature. Each of these methods of harassment can be carried out through **physical**, **verbal** and **visual behaviors**.



2. As a class, ask students to come up with some examples of physical, verbal and visual harassment. Write the student responses on the board or chart paper. *Alternative option*: You may want to ask students to write their responses on a slip of paper and turn them into you. This allows you to screen the responses and "translate" them before writing them on the

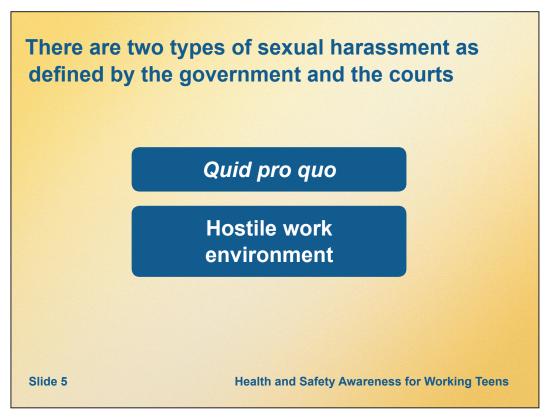
- board. Only you know the culture of your classroom and if students will be able to handle this activity appropriately.
- 3. Some of the examples may clearly seem like harassment to some students, while to others they may seem like flirting. Refer to the lists the students made in the earlier activity and the definition of sexual harassment. Sexual harassment is in the eye of the beholder, so if the target feels harassed, then the behavior may be classified as harassment.

Sample student answers:

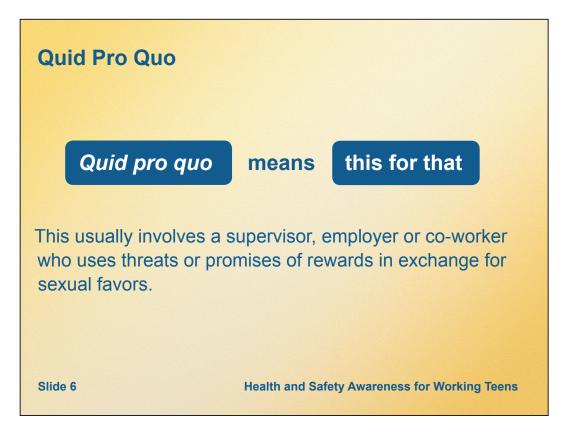
Sample student answers.			
Visual Harassment	Verbal Harassment	Physical Harassment	
Posting pictures of nude or scantily clad people	Calling someone degrading names of a sexual nature	Making lewd gestures (licking lips suggestively, gyrating hips, etc.)	
Passing notes with lewd drawings	Spreading sexual rumors	Following someone or blocking his or her way so a person can't get away	
Hanging a calendar with nude pictures	Commenting on some- one's sexual abilities, body parts or clothing	Unwanted grabbing pinching, kissing, or pressing up against someone	
Graffiti of a sexual nature in bathrooms or locker rooms, especially when targeting a specific person	Telling or emailing jokes of a sexual nature	Exposing private body parts including mooning & flashing (exposing but- tocks, breasts or genitals)	
Wearing a t-shirt with sexually explicit pictures or graphics	Howling, catcalling or whistling	Pulling off clothing. Flipping up skirts. Bra snapping	

Two Types of Sexual Harassment

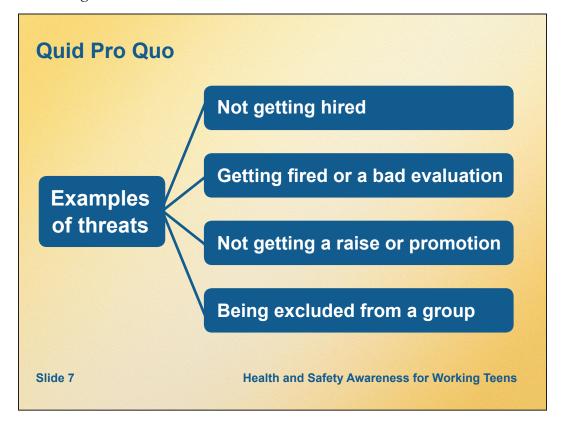
1. Show slide 5. Explain that while sexual harassment may be carried out through physical, verbal or visual behaviors, the outcomes of these behaviors fit within two categories. The Equal Employment Opportunity Commission recognizes two types of workplace sexual harassment: quid pro quo and hostile work environment. Physical, verbal and visual harassment can be a part of both quid pro quo and hostile work environment harassment. You may also want to hand out copies of handout E, Types of Sexual Harassment, that also covers this information.



- 2. Pass out copies of handout D, What is Sexual Harassment? Ask students to read the handout and review it with them.
- 3. Show slide 6. Point out that "Quid Pro Quo" means "This for That." This usually involves a supervisor or person in authority who uses threats or promises of rewards in exchange for sexual favors. You may want to hand out copies of Handout E *Types of Sexual Harassment* to review this with your students.



4. Show slide 7 to provide examples of threats that could be used in exchange for sexual favors.



5. Show slide 8 to provide examples of rewards that could be used in exchange for sexual favors



Hostile Work Environment

1. Show slide 9. A hostile work environment can be caused by repeated actions, comments, or objects that create an intimidating, hostile, or offensive work environment. The behavior does not have to be repeated to be considered sexual harassment if it is a severe incident, such as sexual assault.

Hostile Work Environment

- Caused by repeated actions, comments, or objects that create an intimidating, hostile, or offensive work environment.
- The behavior does not have to be repeated to be considered sexual harassment if it is a severe incident.



Slide 9

Health and Safety Awareness for Working Teens

2. Show slide 10. Discuss the different examples of conditions that can cause a hostile work environment.

Hostile Work Environment

Examples:

- Regular use of sexually offensive language
- Sexual jokes
- Sexual gestures
- Sexual pictures or graphic calendars
- Lewd notes
- Sexual graffiti
- Screen saver with nude or scantily clad bodies
- E-mails with sexual jokes, pictures or comments
- One incident of sexual assault

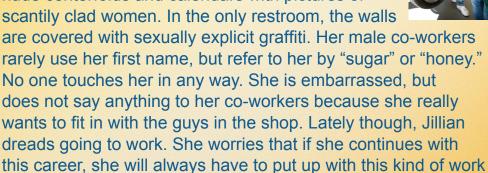
Slide 10

3. Read aloud the two scenarios from slides 11 and 12 *Work Environment Scenarios A* and *B*. Ask the students which scenario is an example of quid pro quo and which scenario is an example of hostile work environment.

Harassment Scenario A

Jillian works in a garage as a mechanic apprentice.

She has wanted to work on engines for as long as she can remember. In the shop, there are many nude centerfolds and calendars with pictures of scantily clad women. In the only restroom, the walls



Slide 11

environment.

Health and Safety Awareness for Working Teens

Harassment Scenario B

Ann Marie got a summer job waiting tables at a restaurant during the lunch shift. One day, while Anne Marie is on her break at a table in the back of the restaurant, her manager Mike sits down with her. Mike



asks her to go out with him that night. When she says she already has plans, Mike says, "You know, I could find a spot for you on the dinner shift. You could get much bigger tips." Anne Marie has been hoping for a spot on the dinner shift since she first got hired, but she does not want to get involved with her boss. She is upset and turns him down.

Slide 12

4. Have students identify what actions or behaviors from the scenarios qualify it as either hostile work environment or quid pro quo. Show slides 13 and 14 for suggested answers.

Harassment Scenario A: Answer Key

Scenario A

- What type of sexual harassment is this?
- Hostile work environment
- What actions or behaviors qualify this as this type of harassment?



Sexually offensive graffiti is on the walls.

Co-workers refer to her with pet names like "sugar" and "honey."

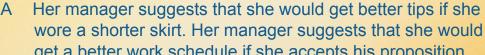
Slide 13

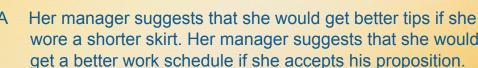
Health and Safety Awareness for Working Teens

Harassment Scenario B: Answer Key

Scenario B

- What type of sexual harassment is this?
- Hostile work environment
- Q What actions or behaviors qualify this as this type of harassment?





Slide 14



		Sexual Harassme		•	
Na	me		Date	Pe	riod
Sh	ort Answer				
1.	There are three conditions to as sexual harassment. Circle action to be considered sexual sexual harassment.	e the three condition	ons that c	ause a beha	vior or
	a. Embarrassing				
	b. Occasional				
	c Unwelcome				
	d. Unpleasant				
	e. Witnessed by someone	else			
	f. Repeated/persistent				
	g. Amusing to someone				
	h. Unwanted				
2.	Sexual harassment can be combehaviors. For each behavior	· ·	1 2		
	Behaviors		Verbal	Physical	Visual
	a. Groping/pinching				
	b. Touching or slapping so	meone's butt			
	c. Whistling/catcalls				
	d. Sexually suggestive ema	ail			
	e. Sexually suggestive joke	9			
	f. Nude pictures in the wo	orkplace			
	g. Lewd gestures				
	h. Putting a hand on some	one's thigh/leg			
3.	Give one example of a threa harassment.	at that could be us	sed in qui	d pro quo	

4.		re one example of a reward that could be used in quid prassment.	pro quo	
5.	pro	omeone is being sexually harassed, list two different w tect themselves.	ays they	could
	1_			
	<u>b.</u>			
6.		ntify whether the statements below are true or false (T False).	for True	and F
	a.	Sexual harassment in the workplace is illegal in all 50 states.	T	F
	b.	If you are being sexually harassed, you must confront the person who is harassing you.	T	F
	c.	Your employer can legally fire you for complaining about sexual harassment at work.	T	F
	d.	It is your employer's responsibility to protect you from sexual harassment at work.	T	F
	e.	A single non-threatening act, like asking a co- worker for a date, could be sexual harassment.	T	F
	f.	An employee must be physically touched in order for an incident to count as sexual harassment.	T	F
	g.	Sexual harassment laws only protect women.	Т	F

Short Answer

- 1. There are **three** conditions that cause a behavior or action to be considered as sexual harassment. Circle the three conditions that cause a behavior or action to be considered sexual harassment. The behavior or action must be:
 - a. Embarrassing
 - b. Occasional
 - c. Unwelcome
 - d. Unpleasant
 - e. Witnessed by someone else
 - f. Repeated/persistent
 - g. Amusing to someone
 - (h.) Unwanted
- 2. Sexual harassment can be carried out through physical, visual or verbal behaviors. For each behavior listed, identify the type of harassment.

Be	haviors	Verbal	Physical	Visual
a.	Groping/pinching		X	
b.	Touching or slapping someone's butt		X	
c.	Whistling/catcalls	X		
d.	Sexually suggestive email	\times		
e.	Sexually suggestive joke	X		
f.	Nude pictures in the workplace			X
g.	Lewd gestures		X	
h.	Putting a hand on someone's thigh/leg		X	

3. Give one example of a threat that could be used in quid pro quo harassment.

Example of a threat

- Not getting a raise
- Getting a better/worse work schedule
- Getting your hours cut
- Not getting promoted

4. Give one example of a **reward** that could be used in quid pro quo harassment.

Example of a reward

- Getting a raise
- Getting a promotion
- Getting mor work hours
- Getting a better work schedule
- 5. If someone is being sexually harassed, list two different ways they could protect themselves.
 - a. Tell a:
 - Friend
 - Parent
 - Teacher
 - Human Resources office
 - Keep a written log of the incidents
 - b. Call the Equal Employment Opportunity Commission (EEOC)
- 6. Identify whether the statements below are true or false (T for True and F for False).
 - a. Sexual harassment in the workplace is illegal in all Т 50 states. b. If you are being sexually harassed, you must con-F front the person who is harassing you. c. Your employer can legally fire you for complaining F about sexual harassment at work. d. It is your employer's responsibility to protect you Т from sexual harassment at work. e. A single non-threatening act, like asking a co-F worker for a date, could be sexual harassment. f. An employee must be physically touched in order F for an incident to count as sexual harassment.

g. Sexual harassment laws only protect women.

F

Sexual Harassment Definition

Equal Employment Opportunity Commission (EEOC)

Federal agency responsible for overseeing workplace sexual harassment regulations and compliance with laws.

Sexual Harassment (legal definition)

Unwelcome sexual avances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when submission to or rejection of this conduct explicitly or implicitly affects:

- An individual's employment
- Unreasonably interferes with an individual's work performance
- Creates an intimidating, hostile or offensive work environment

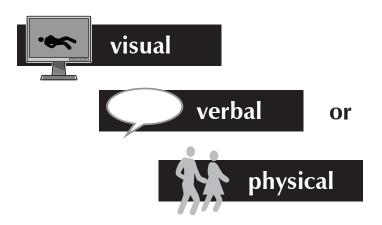
EEOC Facts About Sexual Harassment

In other words...

Any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.

What Is Sexual Harassment?

Sexual harassment is



conduct of a sexual nature that is

unwanted, unwelcome and repeated.

- A single incident can also be considered to be sexual harassment if it is severe (e.g., sexual assault).
- Harassers may be co-workers, supervisors or even people from outside the company, such as clients or customers.
- While most sexual harassment occurs when men harass women, sexual harassment can happen between anyone, including people of the same gender. While a single incident should be reported, it will not be considered sexual harassment unless the harassment is ongoing, or unless the single act was a severe incident, such as sexual assault.

How do you know if you are being harassed?

If something of a sexual nature at work is making you feel

upset,
embarrassed,
or uncomfortable,

you may be experiencing sexual harassment.

Sexual harassment is defined by its **impact**, **not its intent**.

So, it does not matter what the harasser

meant

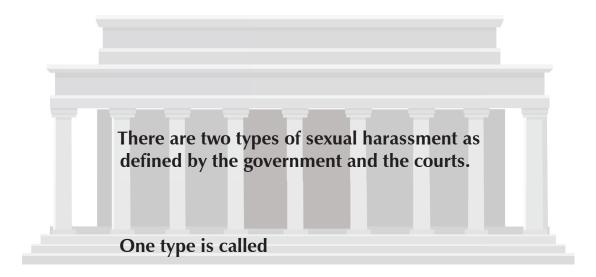
by a comment,
what matters is how it makes you

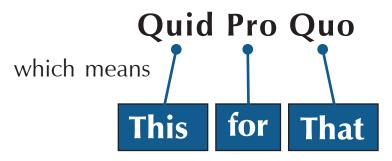
feel.

People often react to sexual harassment in similar ways. You may experience any of the following emotional and physical signs, or may feel something entirely different.

- A sense of dread
- Anxiety
- Fear or anger
- Inability to concentrate
- Loss of interest in work or school

- Stomach ache or headaches
- Humiliation or embarrassment
- Depression or hopelessness
- Dread going to work
- Loss of interest in family or friends





This usually involves a supervisor, employer or co-worker who uses threats or promises of rewards in exchange for sexual favors.

Examples of Threats	Examples of Rewards
Not getting hired	Getting hired
Getting fired or a bad eva	aluation • Getting a promotion
Not getting a raise or pro	omotion • Getting a raise or other special treatment
Being excluded from a gr	• Getting a preferred work schedule
	 Being included as part of a group
	Getting a better grade or review on an evaluation

There are two types of sexual harassment as defined by the government and the courts.

One type is called

Hostile Work Environment

It is caused by

repeated actions, comments, or objects

that create an intimidating,
hostile,
or offensive work environment.

The behavior does not have to be repeated to be considered sexual harassment if it is a severe incident.

Examples:

- Regular use of sexually offensive language
- Sexual jokes
- Sexual gestures
- Sexual pictures or graphic calendars
- Lewd notes
- Sexual graffiti
- Screen saver with nude or scantily clad bodies
- E-mails with sexual jokes, pictures or comments
- One incident of sexual assault